

REMARKS

With regard to the election and withdrawal of claims 1-13, 21-23, in the event that, after consideration of the points set forth below in response to the Examiner's rejection of claims 14-20 under 35 U.S.C. § 112, the Examiner should still consider the applicants' election to be improper and the election of the species of Figs. 14-18 to be incompatible with the election of the species of Figs. 22-29, since no examination on the basis of prior art yet been conducted by the Examiner, then in that case, applicants be permitted to shift their election of the drive species of Figs. 22-29 to the drive species of Figs. 30 & 31.

As for the Examiner's rejection of claims 14-20 under 35 U.S.C. § 112, first paragraph, for failure to comply with the written description requirement is respectfully traversed. The Examiner's comments have been noted but it is submitted that a full and fair reading of the specification as it would be viewed by one of ordinary skill in the art, in applicants' view, leads to the opposite conclusion.

The Examiner has discounted the statement contain in paragraph [0058] that:

As should be apparent, by appropriate, selective driving of one or both of the drive cables 131, 132, in one or the other forward and rearward directions, coupling and uncoupling of the connecting rods via the locking blocks can be produced in a manner so as to achieve selective opening and closing of the covers 10, 12 in various other manners.

because, in the Examiner's view, the "other manners" did not teach that "a first drive is provided for displacing both the first cover and the second cover; and wherein a second drive is provided for displacing both the first covering and the second covering" within the elected mechanism of Figures 22-29. The basis for this finding is, apparently, that the specific descriptions of the elected drive mechanism do not disclose the possibility of operating it in a different manner, while the "other manners" is not specific enough to teach the particular combination of the two elected species.

However, does not take into consideration the totality of the disclosure or what it would mean to one skilled in this art. Firstly, the Examiner's focus on the number of motors is misplaced since, as disclosed in the cited paragraph [0053], the mentioned drive mechanism "could also operate two different devices by just one drive in a time offset manner." Moreover, the Examiner should considered how one skilled in the art would view

the "other manners" of paragraph [0058]. Firstly, there are not an infinite number of ways that two shade devices can be opened in closed. If two shades are disclosed as being opened by a single drive, as far as the undersigned can see, there are only three possible manner in which the two shades can be driven, jointly, individually independently, and sequentially one then the other. As such, given the disclosure of a drive which operates in one of the three manners, and a teaching that modifying the couplings allows movement in other manners, it seems that one skilled in the art, given the limited possibilities available, would have to interpret this statement to teach modification to at least the only other manner of movement taught in the specification. To conclude otherwise is to require that the person of ordinary skill lacks virtually any skill or common sense and that he would ignore following the teaching to produce the alternative type of motion disclosed for the other embodiment of the application. It is submitted that such is unrealistic and that one skilled in the art would, in fact, recognize that the inventor contemplated the very combination represented by the elections made.

For these reasons, the outstanding rejection under § 112 should be withdrawn and such action is now requested.

Lastly, it is noted that a separate Extension of Time Petition accompanies this response. However, should that petition become separated from this Amendment, then this Amendment should be construed as containing such a petition. Likewise, any overage or shortage in the required payment should be applied to Deposit Account No. 19-2380 (740123-471).

Respectfully submitted,

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